



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Schaedler, et al.
FOR : **VACUUM ACTUATED DIRECTION AND
SPEED CONTROL MECHANISM**
SERIAL NO. : 10/618,002
FILED : July 11, 2003
LAST OFFICE ACTION : UNKNOWN
EXAMINER : UNKNOWN
GROUP ART UNIT : 3745
ATTORNEY DOCKET NO. : 30267.22760

Akron, Ohio 44308-1471
February 3, 2004

CERTIFICATE OF MAILING

I hereby certify that this **INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56 and §1.97** is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the following date:

February 4, 2004

Shelly L. Porter
Shelly L. Porter

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56 and §1.97**

Dear Sir:

In accordance with 37 C.F.R. § 1.56, the applicant files this Information Disclosure Statement (IDS) under at least one of the following five circumstances:

☐ 1. **There is No Information to disclose:** No patent novelty search was performed in this case and neither the Applicant nor the undersigned are aware of any prior art devices or documents which they believe to be material to the invention as claimed. This document is being supplied for informational purposes to the Examiner and is evidence of our desire to comply with the duty of disclosure.

☐ 2. **Under § 1.97**, this IDS is filed with the knowledge that it will NOT be considered, but WILL be placed in the file, if

- (1) this IDS is filed BEFORE the grant of a patent; AND
- (2) this IDS does NOT comply with the requirements noted below

☒ 3. **Under § 1.97(b)**, this IDS should be considered because it is being filed

- (1) within 3 months of the filing date of a national application, other than a continued prosecution application under § 1.53(d); OR
- (2) within three (3) months of the date of entry of the national stage of an international application as set forth in § 1.491; OR
- (3) before the mailing date of a first Office Action on the merits; OR
- (4) before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114, whichever occurs last.

☐ 4. **Under § 1.97(c)**: this IDS should be considered because it is being filed after the period specified Under § 1.97(b) above, BUT

- (1) before either the mailing date of a final action under § 1.113 OR
- (2) before the mailing date of a notice of allowance under § 1.311; OR
- (3) before an action that otherwise closes prosecution in the application, whichever occurs last AND

it is accompanied by one of the following statements under § 1.97(e):

I, Timothy D. Bennett, the undersigned hereby state:

(a) ☐ Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a

counterpart foreign application not more than three months prior to the filing of this statement,
OR

(b) ☐ To the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than 3 months prior to the filing of this statement; **OR**

☐ A check in the amount of \$ 180.00 is enclosed to cover the Information Disclosure Statement (IDS) Fee under 37 C.F.R. § 1.17(p) as required when neither item (a) nor (b) above are selected.

☐ 5. **Under § 1.97(d):** this IDS should be considered because

- (1) it is being filed after the period specified Under § 1.97(c) above but ON OR BEFORE payment of the issue fee, AND
- (2) it is accompanied by one of the following statements under § 1.97(e):

I, Timothy D. Bennett, the undersigned hereby state:

(a) ☐ Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,
OR

(b) ☐ To the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than 3 months prior to the filing of this statement; AND

☐ A check in the amount of \$ 180.00 is enclosed for the petition fee as set forth under 37 C.F.R. § 1.17(i).

In accordance with § 1.56 and § 1.97 the references listed on the attached form PTO/SB/08A are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

☒ Please charge deposit account No. 501210 if any additional fees are required.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08A, with initials or other appropriate marks.

☒ Under new USPTO requirements, because the corresponding utility patent application was filed after June 30, 2003, copies of any U.S. patents or published patent applications herein disclosed have not been attached. However, the appropriate patent numbers or publication numbers have been provided. The Applicant believes this to be true based on the attached waiver information as provided by Steven G. Kunin, Deputy Commissioner for Patent Examination Policy.

Respectfully submitted,

BROUSE MCDOWELL

Feb. 3, 2004
Date

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/618,002
Filing Date	July 11, 2003
First Named Inventor	Schaedler, et al.
Art Unit	3745
Examiner Name	UNKNOWN
Attorney Docket Number	30267.22760

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appear
		Number--Kind Code ² (If known)			
		US-6,151,543	November 2000	McKee et al.	
		US-6,437,458	August 2002	Baggett	
		US-5,959,421	September 1999	Cherry, Jr. et al.	
		US-6,002,976	December 1999	Hollstein et al.	
		US-5,943,912	August 1999	Fowler et al.	
		US-5,809,441	September 1998	McKee	
		US-5,778,330	July 1998	McKee	
		US-5,239,242	August 1993	Pickering et al.	
		US-4,734,861	March 1988	Bertolasi et al.	
		US-4,300,652	November 1981	Redzinski et al.	
		US-4,282,465	August 1981	Acker et al.	
		US-2,287,179	June 1942	Kocher	
		US-2,323,519	July 1943	Dean	
		US-2,906,292	September 1959	Mayo	
		US-3,656,595	April 1972	Gethmann et al.	
		US-3,901,342	August 1975	Nunn, Jr.	
		US-4,006,580	February 1977	Kalleicher	
		US-4,364,301	December 1982	Kawabata et al.	
		US-4,388,856	June 1983	Cook	
		US-4,395,865	August 1983	Davis, Jr. et al.	
		US-4,515,066	May 1985	Ito et al.	
		US-4,580,669	April 1986	Marto	
		US-4,622,859	November 1986	Hobson	
		US-4,669,361	June 1987	Ito et al.	
		US-4,799,418	January 1989	Takahashi et al.	
		US-4,831,915	May 1989	Roach	
		US-4,835,949	June 1989	Seyerle	
		US-5,138,825	August 1992	Trefz et al.	
		US-5,259,175	November 1993	Schmidt	
		US-5,321,910	June 1994	Legendre et al.	
		US-5,321,938	June 1994	LeBlanc	
		US-5,335,487	August 1994	Murakawa et al.	
		US-5,351,467	October 1994	Trefz et al.	
		US-5,353,578	October 1994	Irby et al.	
		US-5,381,648	January 1995	Seegert et al.	
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		US-5,526,633	June 1996	Strong et al.	
		US-5,528,886	June 1996	Esau	
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		US-3,367,459	February 1968	Rubin	
		US-3,440,740	April 1969	Kamlukin	
		US-3,528,231	September 1970	Keller et al.	
		US-3,543,892	December 1970	De Baillie	
		US-3,908,345	September 1975	Oni et al.	
		US-4,285,169	August 1981	Franklin	
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		US-4,364,301	December 1982	Kawabata et al.	
		US-4,437,386	March 1984	Baumgartner	
		US-4,531,348	July 1985	De Vilder et al.	
		US-4,756,234	July 1988	Anderson	
		US-4,928,458	May 1990	Muroya	
		US-5,568,761	October 1996	Legendre	
		US-5,651,422	July 1997	Casali	



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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/618,002
Filing Date	July 22, 2003
First Named Inventor	Schaedler
Art Unit	3745
Examiner Name	UNKNOWN
Attorney Docket Number	30267.22760

Sheet 2 of 3

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (If known)				

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the right of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9799) and select option 2.

PTO/SB/08A (04-03)